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7   Attorneys for Defendant, Rager, Bell, Doskocil, and Meyer and Brad Doskocil, CPA,
Appearing Specially

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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13   Steve Nerayoff,   )   CASE NO.: C 07-03101 JW
)
14   Plaintiff(s),   )   1. JOINT STIPULATED REQUEST FOR
)   AN ORDER CONTINUING RESPONSE
15   vs.   )   DATE TO FIRST AMENDED
)   COMPLAINT
16   Rager, Bell, Doskocil and Meyer, et al. ,   )
)
17   Defendant(s).   )   2. [PROPOSED] ORDER
)
)

18

19   **STIPULATION AND [PROPOSED] ORDER**

20   NOW COME the Parties, Plaintiff Steven Nerayoff ("Plaintiff") and Defendants Rager,

21   Bell, Doskocil and Meyer ("RBDM"), Rossi, Doskocil & Finkelstein, LLP ("RDF") and Brad

22   Doskocil ("Doskocil")(all parties herein are collectively referred to as the "Parties"), by and

23   through their counsel of record and as a stipulation in the above-referenced matter, state as

24   follows:

25   1.   Defendants RBDM, RDF and Brad Doskocil appear specially before the Court in

26   this Joint Stipulation and Request for the sole purpose stated herein and do not waive any and/or

27   all objections that may be asserted as to venue. Further this stipulation is entered into and this

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1   special appearance is made by RBDM, RDF and/or Doskocil's without any prejudice to RBDM,

2   RDF and/or Doskocil's ability to bring a motion for an order dismissing this action and/or

3   transferring this action on the grounds that venue in the Northern District is improper.

4   2.   The Parties enter this stipulation and seek a continuance of the deadline to file

5   their responsive pleadings to the First Amended Complaint previously due to be filed on January

6   8, 2008. The Parties seek an extension of RBDM, RDF and/or Doskocil's deadline to respond up

7   to and including January 29, 2008. This stipulation is necessitated in part because Plaintiff's

8   attorney, Paul Rice, has experienced a family emergency that has prevented the Parties from

9   completing negotiations and furthering their mutual investigation of the facts in the matter. No

10   Defendants have appeared in this action. This stipulation is entered into to permit Mr. Rice

11   additional time to attend to personal matters and allow the Parties to continue in their joint efforts

12   to investigate the facts and circumstances upon which this action is predicated in an effort to

13   informally resolve issues regarding venue and pursue possible tolling agreements pending the

14   outcome of related matters pending in the United States Tax Court and/or with the Internal

15   Revenue Service.

16   3.   These unexpected circumstances coupled with the need for further investigation

17   into the facts, circumstances, and issues in this case merit a continuance of response date to the

18   First Amended Complaint to January 29, 2008. Such time will afford the Parties a reasonable

19   period of time to investigate the above-referenced matters to minimize the burden on the Court

20   and, if they are not able to resolve these matters informally, to properly respond to the recently

21   served First Amended Complaint and/or take other action to insure prompt and efficient resolution

22   of this matter.

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JOINT STIPULATED REQUEST FOR AN ORDER CONTINUING RESPONSE DATE
TO FIRST AMENDED COMPLAINT; [PROPOSED] ORDER

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STIPULATION

2   The Parties hereby stipulate and jointly request that:

3   1.   The date for RBDM's, RDF's and Doskocil's response to the First Amended

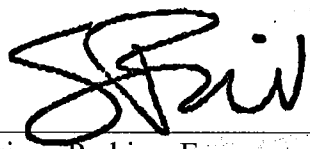4 Complaint shall be extended to January 29, 2008.

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JOINT STIPULATED REQUEST FOR AN ORDER CONTINUING RESPONSE DATE
TO FIRST AMENDED COMPLAINT; [PROPOSED] ORDER

3.   The Parties be allowed to reserve their right to seek further enlargement of time and propose a modified case management plan consistent with the Standing Order for All Judges of the Northern District of California, Contents of Joint Case Management Statement.

DATED: January ___, 2008

CHAPMAN, GLUCKSMAN & DEAN
A Professional Corporation

By:_____
Stephanie Sessions Perkins, Esq.
Attorneys for Specially Appearing Defendants
RBDM Rager Meyers Accountancy Corporation and
Specially and Jointly for Defendant Brad Doskocil,
CPA

DATED: January ___, 2008

FARBSTEIN & BLACKMAN
A Professional Corporation

By:_____/s/_____
John S. Blackman, Esq.
Attorneys for Specially Appearing Defendant Rossi,
Doskocil & Finkelstein and Specially and Jointly for
Defendant Brad Doskocil, CPA

DATED: January ___, 2008

RICE & BRONITSKY
A Professional Corporation

By:_____/s/_____
Paul E. Rice, Esq.
Attorneys for Plaintiff, Steven Nerayoff

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JOINT STIPULATED REQUEST FOR AN ORDER CONTINUING RESPONSE DATE
TO FIRST AMENDED COMPLAINT; [PROPOSED] ORDER

1   PURSUANT TO STIPULATION, **IT IS SO ORDERED:**

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    DATED: January __, 2008   _____
4
                                            The Honorable James Ware
5   JUDGE OF THE UNITED STATES DISTRICT
                                            COURT FOR THE NORTHERN DISTRICT OF
6   CALIFORNIA

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JOINT STIPULATED REQUEST FOR AN ORDER CONTINUING RESPONSE DATE
TO FIRST AMENDED COMPLAINT; [PROPOSED] ORDER